



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
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March 21, 2020

The Hon. Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
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Re: U.S. EEOC v. New York State Department of Labor (20-MC-00049)
Letter Motion Requesting Second Extension of Time

Dear Judge Schofield,

The EEOC writes, with the consent of the Respondent New York State Department of Labor, to request a second extension of the deadline for the EEOC's certification that the Respondent has complied with the subpoena issued by the EEOC.

Pursuant to the order originally entered on February 7, 2020 ([ECF No. 3](#)), the EEOC was to file the certification within 30 days of the issuance of the order, that is, on March 9, 2020. The Court previously granted an extension of that deadline to March 23, 2020. ([ECF No. 9](#))

Because the closing of the EEOC's Manhattan office due to community spread of the COVID-19 virus, EEOC staff are currently not able to receive mail. This has hampered the EEOC's ability to review the documents mailed to us by the New York State Department of Labor. Furthermore, it is unclear when the EEOC's Manhattan office will reopen and regain access to the mail.

The parties are continuing to cooperate and coordinate but require additional time to do so. Therefore, the EEOC proposes that the existing deadline be modified to require the EEOC to: (a) certify compliance with the subpoena within five business days of its confirmation that it has received the responsive documents, and (b) file a status report in the event such certification has not been possible within 60 days of the date of this letter.

Application GRANTED in part and DENIED in part.

The EEOC shall file the certification of compliance with the subpoena no later than May 14, 2020. The parties may, if necessary, file another extension request.

Dated: March 23, 2020
New York, New York

Respectfully,

s/ Justin Mulaire
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LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE